

EXPIRATION DATE:
July 12, 2005

PERMIT NO:
94-VP-18a

SHASTA COUNTY
DEPARTMENT OF RESOURCE MANAGEMENT
AIR QUALITY MANAGEMENT DISTRICT

SIERRA PACIFIC INDUSTRIES, ANDERSON DIVISION
(Applicant)

IS HEREBY GRANTED A
TITLE V OPERATING PERMIT
SUBJECT TO CONDITIONS NOTED

COGENERATION FACILITY
(Nature of Activity)

AT: **19758 Riverside Ave., Anderson, CA 96007**
(Assessor's Parcel No. 050-110-025)

DATE ISSUED: July 12, 2000

APPROVED: _____
Air Pollution Control Officer

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EQUIPMENT LIST

- 1 Each - 80,000 lbs/hr. Wellons Fuel Cell Type Wood-Fired Boiler
- 1 Each - Wellons Two-Field Electrostatic Precipitator
- 1 Each - Wellons Multiclone Ash Collector
- 1 Each - Selective Non-Catalytic Reduction Ammonia Injection System
- 1 Each - Air Conveyance System with 2 cyclones with combined flow rate
of 48,000 DSCFM
- 1 Each - Planer Shaving / Sawdust Truck Loading Bin
- 1 Each - 30,400 cu. ft. Fuel Storage Bin

Insignificant Emissions Sources

- 1 Each - Solvent Degreasing Tank
 - 1 Each - 10,000 gal. Above Ground, Gasoline Storage Tank
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EMISSION LIMITS AND STANDARDS

1. No person shall discharge contaminants from any single source into the atmosphere in amounts greater than those designated below (unless governed by EPA New Source Performance Standard). All emissions are to be measured by methods approved for use by the Air Pollution Control Officer (APCO). Any method approved by the U.S. Environmental Protection Agency (EPA) and/or the California Air Resources Board (CARB) is approved for use by the APCO:

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- a. **Combustion Particulate Matter**^{1,2} 0.10 gr/dscf
- b. **Particulate Matter Less Than or Equal to 10 in Size**^{1,2} 0.05 gr/dscf
- c. **All Other Particulate Matter**^{1,2} 0.15 gr/dscf
- d. **Maximum Hourly Particulate Matter (E) as a Function of Process Weight (P_t) in Tons Per Hour**
 Where E = lbs/hr
 Less Than or Equal to 30 Tons/Hour.....E = 4.1 P_t^{.67}
- e. **Oxides of Sulfur (as SO₂)**^{1,2,3} 300 ppm
- f. **Oxides of Nitrogen (as NO₂)**^{1,2,3} 250 ppm
- g. **Opacity**⁴
 Ringelmann #2 and/or 40% equivalent opacity pursuant to California Health & Safety Code (CHSC) Section 41701

Footnotes:

- 1 Calculated at standard conditions: 70° F, one atmosphere, dry gas basis.
- 2 When the emissions are generated by a combustion process, the gas volume shall be corrected to 12% CO₂ at standard temperature and pressure.
- 3 The APCO may specify an appropriate correction and/or reporting factor depending upon the type of process involved.
- 4 This requirement does not apply to smoke emissions from burners used to produce energy and fired by forestry and agricultural residues with supplementary fuels when the emission result from startup or shutdown of the combustion process or from the malfunction of emission control equipment. However, this exemption does not apply to emissions which exceed a period or periods of time aggregating more than 30 minutes in any 24-hour period, or which result from the failure to operate and maintain in good working order any emission control equipment.

[SCAQMD Rule 3:2, Specific Air Contaminants, 54 Federal Register (FR) 14650, 4/12/89]

- 2. A person shall not discharge more than forty (40) pounds of photochemically reactive solvents into the atmosphere in any one day from any article, machine, equipment, or other

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contrivance used for employing, applying, evaporating, or drying any photochemically reactive solvent, as defined in District Rule 1:2, or material containing such solvent, unless all photochemically reactive solvents discharged from such article, machine, equipment, or other contrivance have been reduced either by at least 85 percent overall **or** to not more than forty (40) pounds in any one day. The provisions of this condition shall not apply to:

- a. The spraying or other employment of insecticides, pesticides, or herbicides.
- b. The employment, application, evaporation, or drying of saturated halogenated hydrocarbons or perchloroethylene.
- c. The employment or application of polyester resins or acetone used in a fiberglass reinforced plastics operation.

Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical groups, i.e., the groups having the least allowable percent of the total of solvents.

[SCAQMD Rule 3:4, Industrial Use of Organic Solvents, 49 FR 47491, 10/3/84]

3. With respect to stack opacity, the provisions of CHSC 41701 and 41704 shall apply at all times. The visible emissions from the boiler stack, other than uncombined water vapor, shall not exceed 40% opacity for more than three minutes in any one hour except for periods of start-up or shutdown totaling less than thirty (30) minutes per boiler in any 24-hour period. In addition, the provisions of the New Source Performance Standards Subpart Db (40 Code of Federal Regulations (CFR) Part 60.43b) shall apply. The visible emissions from the stack, other than uncombined water vapor, shall not exceed 20% opacity in any six (6) minute averaged period except for one 6-minute period per hour of not more than 27% average opacity. This subpart does not apply during periods of start-up, shut-down, or malfunctions as defined by 40 CFR 60.2.

[District Permit 94-PO-18a, Condition 17]

4. Best available control technology (BACT) for the Wellons wood-fired boiler shall be defined as:

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- a. for particulate matter:
 - 1) multiclone collector
 - 2) electrostatic precipitator (minimum two-stage unit design)
- b. for carbon monoxide and volatile organic compounds:
 - 1) control of underfire air
 - 2) control of overfire air
 - 3) control of fuel feed rate
 - 4) control of fuel moisture content
 - 5) control of combustion excess air
- c. for oxides of nitrogen, a Selective Non-Catalytic Reduction Ammonia injection system including an auto/manual NO_x control station to monitor exhaust gas temperatures and NH₃ injection rates.

[District Permit 94-PO-18a , Condition 20]

- 5. The following BACT emission limitations shall apply to the Wellons wood-fired boiler at all times when burning wood fuel and are based upon a maximum input to the boiler of 116.4 million Btu per hour:
 - a. particulate matter emissions shall not exceed 0.01 gr/dscf at standard temperature and pressure at 12 percent CO₂ as determined by EPA Method 5, front half only. Particulate matter shall also be limited to seven (7) pounds per hour and 29 tons per year in accordance with CARB Method 5, including probe wash, filter catch, impinger catch, and solvent extract. (This requirement does not apply during periods of startup, shutdown, or malfunction as allowed by 40 CFR 60.46b).
 - b. total hydrocarbons (as methane) shall not exceed 12 pounds per hour and 51 tons per year in accordance with CARB Method 100.
 - c. oxides of sulfur shall not exceed 6.1 pounds per hour and 30 tons per year in accordance with CARB Method 100;
 - d. oxides of nitrogen shall not exceed the more stringent of 21 pounds per hour, or 100 ppm at 12% CO₂ (24 hour average), or 115 ppm at 12% CO₂ (3 hour average). The annual emissions of NO_x shall not exceed 100 tons per year. The NO_x emissions shall be analyzed by CARB Method 100;

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- e. carbon monoxide shall not exceed the more stringent of 133 pounds per hour, or 1000 ppm at 12% CO₂ (24 hour average), or 1500 ppm at 12% CO₂ (3 hour average) (This requirement does not apply during periods of startup, shutdown, or malfunction). The annual emissions of CO shall not exceed 600 tons per year. The CO emissions shall be analyzed by CARB Method 100;
- f. ammonia slip shall be limited to 20 ppm corrected to 12% CO₂, dry basis, as determined by Bay Area AQMD Method ST-1B.

[District Permit 94-PO-18a , Condition 24]

- 6. Fugitive emissions, including but not limited to any of the following, shall be controlled at all times such that a public nuisance is not created at any point beyond the plant property line:
 - a. dust from unpaved roads or any other non-vegetation-covered area;
 - b. fugitive sawdust from fuel-handling devices and/or storage areas;
 - c. char and/or bottom ash which is processed by the char handling system or is removed from the Wellons wood-fired boiler by other means. Such ash shall be stored in closed containers and disposed of in such a manner so as to not create a public nuisance. Ash shall be transported in a wet condition in covered containers at all times. It shall be the responsibility of the plant owner/operator to insure that any and all contract or company carriers adhere to this condition;
 - d. accumulation of sawdust or ash on outside surfaces, including but not limited to the main building, boilers, electrostatic precipitator, support pads, road areas. Surfaces shall be cleaned on a regular basis to prevent the build-up of ash and/or fugitive dust.

[District Permit 94-PO-18a, Condition 27]

- 7. Visible emissions from the air conveyance blower discharge shall not exceed 40 percent opacity for more than three (3) minutes out of any one sixty (60) minute period.

[District Permit 87-PO-17d, Condition 14]

- 8. The emission of total particulate matter from the air conveyance blower discharge shall not

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exceed .015 grains/dscf or six (6) pounds per hour.

[District Permit 87-PO-17d, Condition 15]

9. The emission of particulate matter less than 10 microns in diameter from the air conveyance blower discharge shall not exceed 0.05 grains/dscf

[District Permit 87-PO-17d, Condition 16]

OPERATING CONDITIONS

10. Wood waste shall constitute the only fuel allowed for use for the Wellons wood-fired boiler. Chemically treated wood waste shall not be allowed as fuel for this facility.

[District Permit 94-PO-18a, Condition 15]

11. Wood fuel shall not be charged to the Wellons wood-fired boiler at a rate which exceeds 26,598 lbs. per hour (wet basis).

[District Permit 94-PO-18a, Condition 16]

12. Combustion of wet fuel, i.e., fuel with moisture content greater than or equal to 55 percent, shall not be considered as an affirmative defense to an excess emission condition for the Wellons wood-fired boiler. Use of such fuels is a foreseeable occurrence, and as such, compliance with all permit limits and District regulations shall be required at all times unless the APCO has determined that the cause of the wet fuel condition is due to an unavoidable or emergency situation.

[District Permit 94-PO-18a , Condition 31]

13. The following air pollution control equipment shall be used at all times when the combustion process is occurring in the Wellons wood-fired boiler:

- a. multiclone collector;
- b. electrostatic precipitator;

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c. combustion controls;

[District Permit 94-PO-18a, Condition 18]

14. The Selective Non-Catalytic NOx reduction injection system, as specified in Condition #4 shall be utilized as necessary to meet the emission limit for oxides of nitrogen for the Wellons wood-fired boiler noted in Condition #5.

[District Permit 94-PO-18a , Condition 19]

15. Under no circumstances shall the permittee be allowed to emit quantities of pollutants from the Wellons wood-fired boiler in excess of the limits specified in Condition #5. If continuous monitoring or testing pursuant to Condition #27 shows an increase in emissions above these limits, the permittee will take immediate action to bring the emissions to within the specified limits. Immediate Action, for use in this permit shall be defined as within four (4) hours of the occurrence which leads to the emission exceedance.

[District Permit 94-PO-18a , Condition 29]

16. The cyclones and connecting blowpipe system in the air conveyance system shall be maintained in a leak-free condition.

[District Permit 87-PO-17d, Condition 13]

17. The air conveyance system shall not operate more than 20 hours per day, six (6) days per week.

[District Permit 87-PO-17d, Condition 17]

18. The wood waste collection and storage bin shall be maintained in a leak-free condition and shall be emptied on a schedule which insures that the cyclone-separator system shall not become plugged. The sides of the storage bins shall remain enclosed to mitigate the fugitive emissions from the unloading process.

[District Permit 87-PO-17d, Condition 18]

19. Fugitive dust generated from access and on-site roads shall be controlled by application

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of water, dust palliative, chip-sealing, or paving so as to prevent a public nuisance or violation of any applicable ambient air quality standard.

[District Permit 87-PO-17d, Condition 20]

20. All other surfaces shall be cleaned or washed sufficiently to prevent significant wind-blown dust from leaving the property boundaries.

[District Permit 87-PO-17d, Condition 21]

21. Truck loading from the planer shaving/sawdust truck loading bin shall be done in a manner that minimizes spillage, and fugitive emissions from the open bin doors.

[District Permit 87-PO-17d, Condition 22]

22. Fugitive dust from storage piles, processing area, and disturbed areas shall be controlled by periodic cleanup and/or use of sprinklers, tarps, or dust palliative agents as necessary to prevent a public nuisance or opacity violation.

[District Permit 87-PO-17d, Condition 23]

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TESTING, MONITORING, AND REPORTING REQUIREMENTS

23. The project owner/operator shall maintain, calibrate, and operate the following continuous emission monitors (CEMS) for the Wellons wood-fired boiler at all times when the combustion process is occurring:

- a. stack gas opacity monitor;
- b. stack gas carbon monoxide monitor;
- c. stack gas oxides of nitrogen monitor;
- d. stack gas carbon dioxide monitor;
- e. stack gas volumetric flowrate.

[District Permit 94-PO-18a, Condition 21]

24. The continuous emission monitors for the Wellons wood-fired boilers shall meet all applicable design and quality assurance requirements specified in Federal Register Parts 40 CFR 60.13 and 40 CFR 60, Appendix F, and Specifications 1, 2, 3 & 4 of Appendix B. Each of the above monitors shall have its data recorded on a separate chart. The chart printout for each of the above devices shall be clearly labeled as to the scale setting and proper units. A computer data acquisition system which has the capability of interpreting the sampling data and producing a summary report of average hourly and daily data concentrations for monthly reporting is also required.

[District Permit 94-PO-18a, Condition 22]

25. The project operator/owner shall monitor the following combustion and control parameters for the Wellons wood-fired boiler on a continuous basis unless otherwise noted:

- a. fuel feed rate;
- b. combustion temperature (at the superheater tube area);
- c. temperature at air heater outlet;
- d. steam production rate;

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- e. ammonia injection rate;
- f. fuel moisture content (intermittent basis).

[District Permit 94-PO-18a , Condition 23]

26. Periodic emission testing of the Wellons wood-fired boiler shall be required pursuant to District Rule 2:11.a.3.(f) except as noted in Condition 32. Results of all stack tests shall be forwarded to the District for compliance verification.

[District Permit 94-PO-18a , Condition 25]

27. Monthly emission reports for the Wellons wood-fired boiler shall be required to be submitted by the 15th of the month following data recording and shall include:
- a. daily average of CO and NO_x emissions expressed in ppm, and lb./hour (corrected to 12% CO₂) dry basis. All time periods when the boiler is not in operation shall be excluded from the averages. The total monthly hours of operation and the monthly average of CO and NO_x emissions expressed in lbs./hour shall also be included;
 - b. notification of all periods six (6) minutes and longer in duration when opacity exceeds 20% and the reason for the excursion;
 - c. notification of all three (3) hour and twenty-four (24) hour averaged periods exceeding the permit limitations for oxides of nitrogen and the reason for the excursion;
 - d. notification of all three (3) hour and twenty-four (24) hour averaged periods exceeding the permit limitation for carbon monoxide and the reason for the excursion;
 - e. notification of all periods the continuous monitors were not functioning and the reasons for the same;
 - f. if no permit limitations were exceeded, the report must so state.

[District Permit 94-PO-18a , Condition 26]

28. Emissions exceeding any of the limits established in this permit shall be immediately reported to the APCO:

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- a. For scheduled maintenance of a permitted emission source, notice shall be provided to the APCO at least twenty-four (24) hours prior to shutdown, whether or not an emission exceedance is expected.
- b. The emission source operator shall notify the APCO within four (4) hours of the occurrence of any excess emission and provide information on the time, duration, cause, and extent of the excess emission. Upon the request of the APCO, a full, written report of each occurrence, including a statement of all known causes and the nature of the actions to be taken pursuant to the requirements of Rule 3:10 or Rule 5 shall be submitted to the District.
- c. Corrective action shall be taken immediately by the operator of the emission source to correct the conditions causing excessive emissions to reduce the frequency of the occurrence of such conditions. In no event shall equipment be operated in a manner that creates excessive emissions beyond the end of the work shift or twenty-four (24) hours, whichever occurs first.
- d. An emergency constitutes an affirmative defense to any action brought for non-compliance with technology-based emission limits if:
 - 1) The emission source operator can identify the cause(s) of the emergency
 - 2) The permitted facility was at the time being properly operated
 - 3) During the period of the emergency, the emission source operator took all reasonable steps to minimize levels of excess emission, and
 - 4) The emission source operator submitted notice of the emergency to the APCO in accordance with this condition.

(For the purposes of this condition, emergency shall be as defined in Title 40 of the *Code of Federal Regulations (CFR)*, Part 70, Section 70.6(g); i.e. "any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency.")

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Within two (2) working days of the emergency event, the permittee shall provide the District with a description of the emergency and any mitigating or corrective actions taken. Within two (2) weeks of an emergency event, the responsible official shall submit to the District a properly signed contemporaneous log or other relevant evidence that contains all the information for what constitutes an emergency (as described above in d.1-4 of this condition).

In any enforcement proceeding, the permittee has the burden of proof for establishing that an emergency occurred.

- e. An excess emission occurrence may not avoid enforcement action by the APCO if the occurrence is caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
- f. Nothing expressed in this Condition shall be construed to limit enforcement authorities under the Federal Clean Air Act.
- g. Excess emissions during start-up and shut-down shall be considered a violation (except as allowed by Title 40 of the *Code of Federal Regulations*, Part 60, Section 60.8(c)) if the owner or operator cannot demonstrate that the excess emissions are unavoidable when requested to do so by the APCO. The APCO may specify for a particular source the amount, time, duration, and under what circumstances excess emissions are allowed during start-up or shut-down. The owner or operator shall, to the extent practicable, operate the emission source and any associated air pollution control equipment or monitoring equipment in a manner consistent with best practicable air pollution control practices to minimize emissions during start-up and shut-down.

[SCAQMD Rule 3:10, Excess Emissions; SCAQMD Rule 5]

- 29. The permittee shall report any deviation from permit requirements in this Title V Operating Permit, other than emergency events, to the APCO via phone or Fax within ninety-six (96) hours of the occurrence. A report using District approved forms, for each deviation from the permit requirement shall be prepared by the permittee if requested by the APCO within two (2) weeks after the initial detection of the deviation. Unless requested earlier by the APCO, these reports shall be submitted to the APCO as part of the permittee's semiannual monitoring report.

[SCAQMD Rule 5]

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30. The permittee shall submit a written monitoring report to the APCO every six months. The reporting periods shall be **July 12 through January 11 and January 12 through July 11**. These reports shall be submitted within forty-five (45) days of the end of each reporting period. When no deviations have occurred for the reporting period, such information shall be stated in the report. The monitoring report shall include at a minimum:
- a. A report for each deviation from a permit requirement that occurred during the reporting period, including emergency events. All reports of a deviation from permit requirements shall include the probable cause of the deviation and any preventative or corrective action taken. The permittee shall use District approved forms to report each deviation from permit requirements.
 - b. Results from any emission testing done during the reporting period if not provided earlier to the District immediately following the test.
 - c. A Certification Report form (Forms 5-K1-K2), which includes a written statement from the responsible official that certifies the truth, accuracy, and completeness of the report.

[SCAQMD Rule 5]

31. The permittee shall submit compliance certification reports to the U.S. EPA and the APCO every twelve (12) months. The report shall be submitted within forty-five (45) days of the end of the reporting period. The permittee shall use District approved forms for the compliance certification and shall also include a written statement from the responsible official which certifies the truth, accuracy, and completeness of the report.

Compliance certifications shall be sent to EPA at the following address:

U.S. EPA Region 9
Air Division (AIR-3)
75 Hawthorne Street
San Francisco, CA 94105-3901

[SCAQMD Rule 5]

32. The permittee shall test for the particulate emissions limits specified in Condition #5 on a yearly basis, or more frequently upon the request of the APCO. If testing is conducted, the permittee shall conduct the test in accordance with the methodologies contained in EPA Method 5 and CARB Methods 1 through 5 or subsequent or approved alternative

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methods.

[SCAQMD Rule 5]

33. Records of all monitoring equipment maintenance and support information shall include the following: **1)** date, place, and time of measurement or monitoring equipment maintenance activity; **2)** operating conditions at the time of measurement or monitoring equipment maintenance activity; **3)** date, place, name of company or entity that performed the measurement or monitoring equipment maintenance activity and the methods used; and **4)** results of the measurement or monitoring equipment maintenance. All monitoring and support information shall be retained for at least five (5) years from date of collection, measurement, report, or application.

[SCAQMD Rule 5]

34. The owner or operator shall provide written notification of any physical or operational change to the facility that may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR Part 60.14(e). This notice shall be post marked sixty (60) days or as soon as practical before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The District may request additional information subsequent to this notice.

[40 CFR Part 60.7(a)4]

35. The Permittee shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements, all continuous monitoring system performance evaluations, all continuous monitoring system or monitoring device calibration checks, adjustments and maintenance performed

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on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least five (5) years following the date of such measurements, maintenance, reports and records.

[40 CFR Part 60.7(f), District Rule 5]

36. The permittee shall provide the APCO at least thirty (30) days prior notice of any performance test, except as specified under other subparts, to afford the APCO the opportunity to have an observer present.

[40 CFR Part 60.8(d)]

37. The permittee shall provide or cause to be provided, testing facilities as follows:
- a. Sampling ports adequate for test methods applicable to such facility. This includes:
 - 1) Constructing the air pollution control system such that volumetric flow rates and pollution emission rates can be accurately determined by applicable test methods and procedures and,
 - 2) Providing stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.
 - b. Safe sampling platform(s).
 - c. Safe access to sampling platform(s).
 - d. Utilities for sampling and testing equipment.

[(District Rule 2:14.), 40 CFR Part 60.8.e]

38. Upon request by the Air Pollution Control Officer, District staff shall be given access to the blower for the purpose of testing. If testing is requested, test ports shall be added to the inlet pipe of the blower. These ports shall conform to the Districts guidelines.

[District Permit 87-PO-17c, Condition 19]

39. Compliance with the opacity standard in this permit shall be determined by conducting observations in accordance with Reference Method 9 in Appendix of 40 CFR Part 60,

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any alternative method that is approved by the APCO, or from the continuous opacity monitoring system as provided in 40 CFR Part 60.11(e)(5).

[40 CFR Part 60.11(b)]

40. The span value for the continuous measuring system for measuring opacity shall be between 60 and 80 percent.

[40 CFR Part 60.48b((e)(1)]

41. When nitrogen oxides emission data are not obtained because of continuous monitoring system breakdown, repairs, calibration checks and zero and span adjustments, emission data shall be obtained by using standby monitoring systems, Method 7, Method 7A, or other approved reference methods to provide emission data for a minimum of 75 percent of the operating hours in each steam generating unit operating day, in at least 22 out of 30 successive steam generating operating days.

[40 CFR Part 60.48b((f),(g)]

42. The owner or operator shall record and maintain records of the amounts of each fuel combusted during each day and calculate the annual capacity factor individually for each calendar quarter. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each month.

[40 CFR Part 60.49 b(d)]

43. The owner or operator shall maintain records of opacity to demonstrate compliance with Condition 3 of this permit.

[40 CFR Part 60.49b(f)]

STANDARD CONDITIONS

44. References to rules, regulations, etc., within this permit shall be interpreted as referring to such rules and regulations in their present configuration and language as of the date of issuance of this permit.

[District Permit 94-PO-18a , Condition 28]

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45. The Air Pollution Control Officer reserves the right to amend this permit if the need arises in order to insure compliance of this facility and abate any public nuisance.

[District Permit 94-PO-18a , Condition 32]

46. Acceptance of this permit is deemed acceptance of all conditions as specified. Failure to comply with any condition of this permit shall be grounds for revocation, either by the Air Pollution Control Officer or the Air Quality Management District Hearing Board.

[District Permit 94-PO-18a , Condition 33]

47. The owner/operator shall provide all necessary emission offset requirements for NO_x, ROC, SO_x, and PM₁₀ as specified by District Rule 2:1 prior to operation of the Wellons wood-fired boiler. Banked emission reduction credits as allowed by District Rule 2:2 shall be acceptable for use as emission offsets.

[District Permit 94-PO-18a , Condition 34]

48. At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practices for minimizing emissions.

[40 CFR Part 60.11(d)]

49. Upon notification from the APCO, the permittee will abate any air-quality-related nuisance associated with the equipment defined under this Permit or from any process which is indirectly or directly associated with such equipment.

[SCAQMD Rule 3:16]

50. The permittee shall comply with all permit conditions of this Title V operating permit.

[SCAQMD Rule 5]

51. The permit does not convey property rights or exclusive privilege of any sort.

[SCAQMD Rule 5]

52. The non-compliance with any permit condition herein is grounds for Title V Operating Permit and District Permit to Operate termination, revocation, modification, enforcement

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action, or denial of permit renewal.

[SCAQMD Rule 5]

53. This permit may be modified, revoked, reopened and reissued, or terminated for cause as determined by the District.

[SCAQMD Rule 5]

54. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

[SCAQMD Rule 5]

55. A pending permit action or notification of anticipated non-compliance does not stay any permit condition.

[SCAQMD Rule 5]

56. Within a reasonable time period, the permittee shall furnish any information requested by the APCO, in writing, for the purpose of determining: **1)** compliance with the permit, **2)** whether cause exists for a permit or enforcement action.

[SCAQMD Rule 5]

57. Any person who is building, erecting, altering, or replacing any article, machine, equipment or other contrivance, or multi-component system including same, portable or stationary, and who is not exempt under Section 42310 of the CHSC, the use of which may cause the issuance of air contaminants, shall first obtain written authority for such construction from the APCO.

[SCAQMD Rule 2:1A, Permits Required 54 FR 26381, 6/18/82]

58. Before any article, machine, equipment or other contrivance, or multi-component system including same, portable or stationary, not exempt under Section 42310 of the CHSC, the use of which may cause the issuance of air contaminants, may be operated or used, a written permit shall be obtained from the APCO.

[SCAQMD Rule 2:1A]

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59. Where an application for or issuance of a permit is pending or in the event of an emergency occurring as a result of an excusable malfunction of a device under permit, the APCO may authorize the operation of the article, machine, equipment, device, or other contrivance or multi-component system for which a permit is sought for periods of time not to exceed sixty (60) days each for the purpose of testing, experimentation, or obtaining necessary data for a permit or correcting a malfunction. No fee or application will be required for such authorization.

[SCAQMD Rule 2:1A]

60. No person shall willfully deface, alter, forge, counterfeit, or falsify a Permit to Operate any article, machine, equipment, or other contrivance.

[SCAQMD Rule 2:21, Defacing Permit, 37 FR 19812, 9/22/72 (current Rule 2:24)]

61. A person who has been granted a Permit to Operate as described in Rule 2:1A.b. shall firmly affix such permit, an approved facsimile, or other approved identification bearing the permit number upon the article, machine, equipment or other contrivance in such a manner as to be clearly visible and accessible. In the event that the article, machine, equipment or other contrivance is so constructed or operated that the Permit to Operate cannot be so placed, the Permit to Operate shall be mounted so as to be clearly visible in an accessible place within 25 feet of the article, machine, equipment, or other contrivance, or maintained readily available at all times on the operating premises.

[SCAQMD Rule 2:23, Posting of Permit to Operate, 54 FR 14650, 9/22/72]

62. All information, analyses, plans, or specifications that disclose the nature, extent, quantity, or degree of air contaminants or other pollution that any article, machine, equipment, or other contrivance will produce and that any air pollution control district or any other state or local agency or District requires any applicant to provide before such applicant builds, erects, alters, replaces, operates, sells, rents, or uses such article, machine, equipment, or other contrivance, are public records.

[SCAQMD Rule 2:25, Public Records -- Trade Secrets, 42 FR 42223, 8/22/77]

63. All air or other pollution monitoring data, including data compiled from stationary sources, are public records.

[SCAQMD Rule 2:25, Public Records -- Trade Secrets, 42 FR 42223, 8/22/77]

64. Except as otherwise provided in Condition #65 (below), trade secrets are not public

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records under this Condition. As used in this Condition, "trade secrets" may include (but are not limited to) any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information that:

- a. Is not patented,
- b. Is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service having commercial value, **and**
- c. Gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

[SCAQMD Rule 2:25, Public Records -- Trade Secrets, 42 FR 42223, 8/22/77]

65. Notwithstanding any other provision of law, all air pollution emission data, including those emission data that constitute trade secrets as defined in subdivision c, are public records. Data used to calculate emission data are not emission data for the purposes of this subdivision, and data that constitute trade secrets and that are used to calculate emission data are not public records.

[SCAQMD Rule 2:25, Public Records -- Trade Secrets, 42 FR 42223, 8/22/77]

66. Pursuant to District Rule 2:16, the APCO may revoke an existing Authority to Construct and/or Permit to Operate if the applicant and/or permittee violates the conditions of such permit as specified by the APCO. The APCO may reinstate the permit at such time as the applicant and/or permittee shows that the condition(s) previously violated are now being attained. Such showing shall not bar the APCO from pursuing any legal remedy with respect to any violation that resulted from the failure to meet any permit condition as specified by the APCO.

[SCAQMD Rule 2:26, Revocation of Permit, 54 FR 14650, 4/12/89]

67. Each and every provision of Federal or State law or applicable Air Basin Plan now or hereinafter enacted or as amended that regulates the discharge of any air contaminants is incorporated here by reference. Where such provisions conflict with local rules and regulations, the more restrictive provisions shall apply.

[SCAQMD Rule 3:1, Applicability of State Laws, 42 FR 42223, 8/22/77]

68. The Regional Administrator of U.S. Environmental Protection Agency (U.S. EPA), the

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Executive Officer of the California Air Resources Board, the APCO, or their authorized representatives, upon the presentation of credentials, shall be permitted to enter upon the premises:

- a. To inspect the stationary source, including equipment, work practices, operations, and emission-related activity; and
- b. To inspect and duplicate records required by this Permit to Operate; and
- c. To sample substances or monitor emissions from the source or other parameters to assure compliance with the permit or applicable requirements. Monitoring of emissions can include source testing.

[SCAQMD Rule 5]

69. The provisions of this Title V Operating Permit are severable, and, if any provision of this Permit is held invalid, the remainder of this Permit to Operate shall not be affected thereby.

[SCAQMD Rule 5]

70. This Operating Permit shall become invalid five (5) years from the date of issuance. Sierra Pacific Industries, Anderson Division, shall apply for renewal of this permit no earlier than six (6) months before the date of expiration. Upon submittal of a timely and complete renewal application, this Operating Permit shall remain in effect until the APCO issues or denies the renewal application.

[SCAQMD Rule 5]

71. The permittee shall remit the Title V supplemental annual fee to the district on a timely basis. Failure to remit fees on a timely basis is grounds for forfeiture of this Operating Permit and the District Permit to Operate. Operation without a Permit To Operate subjects the source to potential enforcement action by the District and the U.S. EPA pursuant to section 502(a) of the Clean Air Act.

[SCAQMD Rule 5]

72. Persons performing maintenance, service, repair or disposal of appliances using CFC's, HCFC's, or other ozone-depleting substances must be certified by an approved technician certification program.

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[40 CFR Part 82.161, Stratospheric Ozone Protection]

73. Persons opening appliances using CFC's, HCFC's or other ozone depleting substances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.

[40 CFR 82.156, Stratospheric Ozone Protection]

74. Equipment used during the maintenance, service, repair, or disposal of appliances using CFC's, HCFC's or ozone-depleting substances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.

[40 CFR 82.158, Stratospheric Ozone Protection]

75. No person shall build, erect, install, or use any article, machine, equipment, or other contrivance, the use of which, without resulting in a reduction in the total release of air contaminants to the atmosphere, reduces or conceals an emission that would otherwise constitute a violation.

[SCAQMD Rule 3:6, Circumvention, 42 FR 42223, 8/22/77, 40 CFR Part 60.12]

76. This permit is not transferable from either one location to another, one piece of equipment to another, or from one person to another.

[SCAQMD Rule 2:23, Transfer of Permit]

77. Equipment is to be maintained so that it operates as it did when the permit was issued.

[SCAQMD Rule 5]

78. All equipment, facilities, and systems shall be designed to be operated in a manner that minimizes air pollutant emissions and maintains compliance with the conditions of this permit and the regulations of the District.

79. This facility is subject to the applicable New Source Performance Standards codified at 40 CFR, Subparts A, and Db.

80. The right of entry described in CHSC 41510, Division 26, shall apply at all times.

81. The operating staff of this facility shall be advised of and familiar with all the conditions of this permit.

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